

1 DANIEL J. BRODERICK, Bar #89424  
2 Federal Defender  
3 DAVID M. PORTER, Bar #127024  
Assistant Federal Defender  
3 801 I Street, 3rd Floor  
Sacramento, California 95814  
4 Telephone: (916) 498-5700

5 Attorney for Petitioner  
ROBERT RAMESES

6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
9  
10

11 ROBERT RAMESES, ) NO. Civ. S-04-1173 GEB GGH P  
12 Petitioner, )  
13 v. ) **UNOPPOSED REQUEST TO EXTEND**  
14 SCOTT KERNAN, Warden, ) **DEADLINE FOR FILING OBJECTIONS TO**  
15 Respondent. ) **MAGISTRATE JUDGE'S FINDINGS AND**  
16 ) **RECOMMENDATIONS AND TO STRIKE**  
17 ) **FILING [DOCKET NO. 60]; ORDER**  
18 \_\_\_\_\_ )  
19 )  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )  
\_\_\_\_\_  
Judge: Hon. Gregory G. Hollows

Pursuant to Local Rule 6-142, Petitioner, ROBERT RAMESES, by and through his counsel, Assistant Federal Defender David M. Porter, hereby requests an extension of 30 days in which to file objections to the findings and recommendations, which are currently due on January 22, 2008. Counsel also requests the Court strike a document, Docket No. 60, which Mr. Rameses sent directly to the Court.

This extension is the second extension requested, one earlier extension of thirty days having been granted. This extension, like the last, is being sought to enable the undersigned to communicate with Mr. Rameses and because of the undersigned's duties in other cases, which include assisting defendants sentenced under the crack cocaine guidelines in filing motions to reduce their sentences under 18 U.S.C.

1 § 3582(c) (2). The undersigned had hoped that the initial extension  
2 would be sufficient, but because of the intervening holidays and the  
3 urgent need to work on crack cocaine cases where the movant is entitled  
4 to immediate release from prison, the time sought in the initial  
5 extension was insufficient.

6 This extension is not interposed to unduly delay the proceedings,  
7 to gain unfair advantage, or for any other improper purpose. The  
8 undersigned has contacted respondent's counsel, Deputy Attorney General  
9 Justain Paul Riley, who graciously indicated that he has no opposition  
10 to the requests set forth herein.

11 On January 4, 2008, the docket reflects an entry, Docket No. 60,  
12 entitled "NOTICE of Points and Authorities to Support Reconsideration  
13 by Robert Rameses." In fact, the document is a copy of a letter from  
14 Mr. Rameses to the undersigned, and it therefore should not have been  
15 entered on the docket. Accordingly, the undersigned requests this  
16 Court enter the order lodged with this request, which both extends the  
17 time for filing objections to the findings and recommendations and  
18 strikes Docket No. 60 from the public docket.

19 Dated: January 22, 2008

20 Respectfully submitted,

21 DANIEL J. BRODERICK  
22 Federal Defender

23 \_\_\_\_\_  
24 /s/ *David M. Porter*  
25 DAVID M. PORTER  
26 Assistant Federal Defender  
Attorney for Petitioner  
ROBERT RAMESES

27  
28 O R D E R

1 Pursuant to the request of petitioner, and good cause appearing  
2 therefor, it is hereby ORDERED that the objections to the findings and  
3 recommendations may be filed on or before February 21, 2008. Any reply  
4 to the objections shall be served and filed within ten days after  
5 service of the objections. **No further extensions will be granted.**

6 Because Mr. Rameses is represented by counsel, he is not permitted  
7 to file documents pro se. Accordingly, Docket No. 60 is hereby ordered  
8 STRICKEN.

9 DATED: 01/25/08

/s/ Gregory G. Hollows

10 HONORABLE GREGORY G. HOLLOWWS  
United States Magistrate Judge

11 rame1173.po2

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28